



KENTUCKY BOARD OF EDUCATION

BOARD NOTES

Volume 13, No. 4 Report of the August 3-4, 2005, Regular Meeting

BOARD APPROVES 702 KAR 6:090, MINIMUM NUTRITIONAL STANDARDS FOR FOODS AND BEVERAGES AVAILABLE ON PUBLIC SCHOOL CAMPUSES DURING THE SCHOOL DAY

At its August 3-4, 2005, meeting, the Kentucky Board of Education (KBE) gave final approval to 702 KAR 6:090, Minimum Nutritional Standards for Foods and Beverages Available on Public School Campuses During the School Day. The amendments were made in response to the requirements of Senate Bill 172, passed by the 2005 General Assembly. The bill required that the KBE promulgate an administrative regulation specifying “the minimum nutritional standards for all foods and beverages that are sold outside the National School Breakfast and National School Lunch programs, whether in vending machines, school stores, canteens, or a la carte cafeteria sales.”

The regulation provisions affect breakfast and lunch periods, as well as the period of time between 30 minutes after lunch until the end of the last instructional period. Highlights of the regulation are as follows:

Beverages - For the time period beginning 30 minutes after the last lunch period until the last instructional period, only beverages meeting these nutritional standards can be sold:

- fluid unflavored or flavored milk that is no more than 1% milk fat;
- plain or flavored, non-caloric, non-carbonated water;
- 100% fruit or vegetable juice or any combination of both totaling 100%
- any other beverage that contains no more than ten (10) grams of sugar per serving, except this limit shall not apply to 100% fruit or vegetable juice or any combination of both equaling 100%;



- the volume size of a beverage does not exceed seventeen (17) ounces, except for plain or flavored, non-caloric, non-carbonated water.

Food - For the time period beginning 30 minutes after the last lunch period until the last instructional period, only food items meeting these standards can be sold:

- Calories from fat shall not exceed thirty (30%) percent, excluding nuts, seeds and nut butters. This shall be determined by dividing the calories from total fat by the total calories and multiplying by one hundred (100). If the calories from fat are not available, the grams of fat shall be multiplied by nine (9) to equal calories from fat;
- Calories from saturated fat shall not exceed ten (10%) percent. This shall be determined by dividing the calories from saturated fat by the total calories and multiplying by one hundred (100). If calories from saturated fat are not available, the grams of saturated fat shall be multiplied by nine (9) to equal calories from saturated fat;
- Calories from sugar shall not exceed thirty-two (32%) percent by weight. This shall be determined by dividing the grams of sugar by the gram weight of the product and multiplying by one hundred (100). This shall include both naturally occurring and added sugars. The grams of sugar shall not exceed fourteen (14) grams. This limit shall not apply to fresh, frozen, canned or dried fruits and vegetables.
- Chips, cereals, crackers, baked goods and other snack items shall not contain more than three hundred (300) milligrams of sodium per serving. Pastas, meats and soups shall not contain more than four hundred fifty (450) milligrams of sodium per serving. Pizza, sandwiches and main dishes shall not contain more than six hundred (600) milligrams of sodium per serving;
- The portion or pack size for chips, crackers, popcorn, cereal, trail mix, nuts, seeds or jerky shall not exceed two (2) ounces;
- The portion or pack size for cookies shall not exceed one (1) ounce;
- The portion or pack size for cereal bars, granola bars, pastries, muffins, doughnuts, bagels, and other bakery-type items shall not exceed two (2) ounces;
- The portion or pack size for non-frozen yogurt shall not exceed eight (8) ounces; and
- The portion or pack size for frozen dessert items, including low-fat or fat free ice cream, frozen fruit juice bars, and frozen real fruit items, shall not exceed four (4) ounces.

A la carte items - A food or beverage item offered for sale as an a la carte item on the cafeteria line during breakfast or lunch shall meet the following standards:

- A beverage shall meet the standards listed above.
- A food item shall meet the standards listed above, except schools may offer for a la carte sale any item that is creditable under the School Breakfast and National School Lunch Program meal pattern.

Also addressed in the regulation are local district reporting requirements on nutrition and physical activity. The public hearing on the regulation will be held on September 23rd at 11:00 a.m. (EDT) in the 3rd Floor Conference Room of the Capital Plaza Tower, Frankfort, Kentucky.

For more information on the amendments to 702 KAR 6:090, contact Paul McElwain at (502) 564-5625 or via email at pmcelwai@kde.state.ky.us.

BOARD OFFICERS AND COMMITTEES DETERMINED FOR 2005-06

As the result of a unanimous vote, the Kentucky Board of Education reelected Keith Travis of Benton as chair and Hilma Prather of Somerset as vice chair. Chair Travis also made the following committee appointments:

Management Committee

David Webb, Chair
Jeff Mando, Vice Chair
David Rhodes
Janice Allen
David Tachau

Curriculum, Instruction and Assessment Committee

Bonnie Lash Freeman, Chair
Janna Vice, Vice Chair
Hilma Prather
Dorie Combs
Helen Mountjoy
Keith Travis

Evaluation Appeals Panel

Helen Mountjoy, Chair
David Tachau
David Webb

Performance Judgment Appeals Panel

David Webb, Chair
Hilma Prather
Keith Travis

P-16 Council

Dorie Combs, Chair
Bonnie Lash Freeman
David Rhodes

KBE Audit Committee

Janna Vice, Chair
Helen Mountjoy
Janice Allen

For more information on Board officers or committees, contact Mary Ann Miller at (502) 564-3141 or via email at mmiller@kde.state.ky.us.

BOARD UPDATED ON CORE CONTENT FOR ASSESSMENT REFINEMENTS

Kentucky Department of Education (KDE) staff updated the Board on the status of clarifying, focusing and refining the *Core Content for Assessment* in preparation for the release of the Request for Proposals for the assessment and accountability system 2007 and beyond. Staff reported that *Core Content for Assessment, Version 4.0* will be the content on which students are assessed beginning in 2007, and indicated it will be posted immediately in draft form on KDE's website for teachers to access.

The Board was assured that KDE involved teachers, administrators, parents, higher education, the National Technical Panel on Assessment and Accountability, national experts and various advisory groups throughout the refinement process. KDE staff indicated crosswalk documents relating version 3.0 to version 4.0 have been developed to assist teachers with the transition to the new version. Additionally, staff noted that Achieve, Inc. is conducting an alignment analysis comparing Kentucky's standards documents for mathematics and English/language arts with Achieve's American Diploma Project Benchmarks. Commissioner Wilhoit emphasized that additional changes to the *Core Content for Assessment, Version 4.0* would occur to accommodate any gaps found by Achieve's analysis with the end goal being that Achieve will agree that alignment has occurred.

For more information on the updated Core Content, contact Starr Lewis at (502) 564-9850 or via email at slewis@kde.state.ky.us.

STATE BOARD DISCUSSES ELIMINATION OF ACHIEVEMENT GAP

At its August meeting, the Kentucky Board of Education had an intensive discussion on eliminating the achievement gap for all students including those with disabilities, limited English proficiency, disadvantaged, African Americans, males and state agency children. The overall concern expressed by the Board is that the gap is getting worse with the time for reaching proficiency by 2014 ticking away quickly.

The Board directed KDE staff to come back to them with a plan of specific measures to get tougher on those districts and schools not taking the elimination of the gap seriously. It was emphasized to staff that the Board feels a sense of urgency in positively impacting this serious problem.

For more information on achievement gap initiatives, contact Johnnie Grissom at (502) 564-4970 or via email at jgrissom@kde.state.ky.us, or Steve Schenck at (502) 564-2116 or via email at sschenck@kde.state.ky.us.

OTHER ITEMS ON WHICH THE BOARD TOOK ACTION IN AUGUST WERE:

- Minutes from the June 8-9, 2005, meeting
- Kentucky School for the Blind Advisory Board appointment of Burt Boyer
- Denial of Kenton County's request for waiver from the requirements of 702 KAR 7:125, Section 12(2)
- FY 2006 Kentucky Education Technology System (KETS) funds expenditure plan
- Certification of non-public schools for: Immaculate Conception Elementary, LaGrange; Prince of Peace Elementary, Covington; St. Barnabas Elementary, Louisville and St. Edward Elementary, Jeffersontown (all for five years)
- Appointments to the Kentucky Writing Program Advisory Committee for Barbara McGinty and Sandy Adams
- Denial of request from the Jefferson County Board of Education for a waiver of 704 KAR 3:410, Section 7, Preschool education program for four-year-old children
- Waivers of 703 KAR 5:020, Affecting Grade Configurations for Fleming and Mason Counties and Somerset Independent
- Statements of Consideration for 703 KAR 5:130, School district accountability and 703 KAR 5:020, Formula for determining school accountability
- Travel of Keith Travis, Bonnie Lash Freeman, David Rhodes, David Webb, Helen Mountjoy and Janice Allen to attend the NASBE annual conference in October 2005
- Request for waiver of foreign language requirements in 704 KAR 3:340, Commonwealth Diploma, from Ballard County School District

OTHER ITEMS REVIEWED IN AUGUST WITH NO ACTION TAKEN WERE:

- KDE Employment Report
- Kentucky's Program of Studies and High School Graduation Requirements
- Aligning Funding Policy to Facilitate Secondary School Reform
- Preschool Progress in Other States
- Literacy Update
- Update on Kentucky's Writing Program: Code of Ethics, Professional Development Plan and Scoring Pilot
- Implementation Plan/Timeline for HB93 on mathematics initiative
- 704 KAR 3:325, Effective Instructional Leadership Act
- Reliability and Validity Studies Update
- Update on assessment work with the university system
- KBE budget priorities, preparation of the 2006-2008 biennial budget request and the legislative agenda

KBE MEETING DATES 2005

<u>2005</u>	<u>Type of Meeting</u>	<u>Location</u>
October 5-6, 2005	Regular meeting	Frankfort
November 2, 2005	Regular meeting	Frankfort
December 7-8, 2005	Regular meeting	Frankfort

KBE MEETING DATES 2006

<u>2006</u>	<u>Type of Meeting</u>	<u>Location</u>
January 4, 2006	Regular meeting	Frankfort
February 1-2, 2006	Regular meeting	Frankfort
March 8, 2006	Regular meeting	Frankfort
April 11-12, 2006	Regular meeting	Frankfort
May 10-11, 2006	KBE retreat and strategic plan discussion	*TBD
June 13-14, 2006	Regular meeting	Frankfort
July 5, 2006	Regular meeting	Frankfort
August 2-3, 2006	Regular meeting and commissioner's evaluation	Frankfort
September 6, 2006	Regular meeting	Frankfort
October 4-5, 2006	Regular meeting	Frankfort
November 1, 2006	Regular meeting	Frankfort
December 6-7, 2006	Regular meeting	Frankfort

*TBD – To be determined

PROPOSED KBE MEETING DATES 2007

<u>2007</u>	<u>Type of Meeting</u>	<u>Location</u>
January 10, 2007	Regular meeting	Frankfort
February 7-8, 2007	Regular meeting	Frankfort
March 7, 2007	Regular meeting	Frankfort
April 4-5, 2007	Regular meeting	Frankfort
May 9-10, 2007	KBE retreat and strategic plan discussion	*TBD
June 13-14, 2007	Regular meeting	Frankfort
July 11, 2007	Regular meeting	Frankfort
August 8-9, 2007	Regular meeting	Frankfort
September 5, 2007	Regular meeting	Frankfort
October 3-4, 2007	Regular meeting	Frankfort
November 14, 2007	Regular meeting	Frankfort
December 6-7, 2007	Regular meeting	Frankfort

For more information on the meeting dates, contact Mary Ann Miller at 502-564-3141 or via email at mmiller@kde.state.ky.us or Susan Palmer at 502-564-3141 or via email at spalmer@kde.state.ky.us.

The actions described above were taken in open session of the Kentucky Board of Education at the August 3-4, 2005, regular meeting conducted in the State Board Room, Capital Plaza Tower, 1st Floor, Frankfort, Kentucky. This information is provided in summary form, and an official record of the meeting is available on tape in the permanent records of the Kentucky Board of Education, First Floor, Capital Plaza Tower, Frankfort, Kentucky 40601. These records are open for inspection Monday through Friday, 8:00 a.m. - 4:30 p.m.

For additional information about the Kentucky Board of Education meetings, agendas, minutes or special accommodations needed for attending meetings, contact Mary Ann Miller, Policy Advisor at (502) 564-3141.

The Kentucky Board of Education does not discriminate on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services.